

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA, : 08-CR-00288(SJ)
:
:
-against- : United States Courthouse
: Brooklyn, New York
:
: Wednesday, March 17, 2010
THOMAS ARCHER : 9:30 a.m.
and RUKHSANA RAFIQUE, :
:
Defendant. :

- - - - - X

TRANSCRIPT OF CRIMINAL CAUSE FOR JURY TRIAL
BEFORE THE HONORABLE STERLING JOHNSON, JR.
UNITED STATES SENIOR DISTRICT JUDGE

A P P E A R A N C E S:

For the Government: BENTON J. CAMPBELL, ESQ.
United States Attorney
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
BY: ANDREW EDWARD GOLDSMITH, ESQ.
JASON ALLEN JONES, ESQ.
SOUMYA DAYANANDA, ESQ.
Assistant United States Attorney

For the Defendant: ALOMAR & ASSOCIATES, P.C.
60-89 Myrtle Avenue
2nd floor
Ridgewood, New York 11385
BY: KARINA E. ALOMAR, ESQ.
GIACONDA RODRIGUEZ

A P P E A R A N C E S: (Continued)

For the Defendant: FEDERAL DEFENDER OF NEW YORK
16 Court Street
3rd Floor
Brooklyn, New York 11201
BY: MILDRED M. WHALEN, ESQ.
THALLEN BRASSEL, ESQ.

A L S O P R E S E N T:

Ravi Kotru Hindi Interpreter

Hafeez Amad Urdu Interpreter

Alyas Bhatti Urdu Interpreter

Special Agent Rajiv Bhatia

Court Reporter: Victoria A. Torres Butler, CRR
Official Court Reporter
Telephone: (718) 613-2607
Facsimile: (718) 613-2324
E-mail: VButlerRPR@aol.com

Proceedings recorded by computerized stenography. Transcript
produced by Computer-aided Transcription.

Victoria A. Torres Butler, CRR
Official Court Reporter

Proceedings

260

1 (In open court.)

2 (The following occurs outside the presence of the
3 jury.)

4 (Judge STERLING JOHNSON, JR. is in the courtroom at
5 9:28 a.m.)

6 THE COURTROOM DEPUTY: All rise.

7 THE COURT: Call the case on trial.

8 THE COURTROOM DEPUTY: Case on trial, United States
9 of America versus Archer.

10 THE COURT: Where are we now, cross is coming up?

11 MR. GOLDSMITH: Yes, cross is coming up.

12 THE COURT: Where are we, Ms. Whalen?

13 MS. WHALEN: Your Honor, I would say I'm
14 anticipating half an hour. But we're working with an
15 interpreter.

16 THE COURT: Yes, I understand.

17 And, Ms. Alomar?

18 MS. ALOMAR: Your Honor, I anticipate half an hour.

19 It may be less if Ms. Whalen covers the same points
20 I won't do the same points.

21 THE COURT: Okay.

22 Now, the witnesses that you have after this, are
23 they short, long, or what?

24 MR. GOLDSMITH: Two of them are short. One of them
25 is longer, Your Honor.

Proceedings

261

1 THE COURT: Okay. And at the conclusion of
2 testimony today, we'll have the charge conference.

3 MR. GOLDSMITH: All right.

4 MS. WHALEN: Yes, Your Honor.

5 MS. ALOMAR: Yes, Your Honor.

6 (Pause in the proceedings.)
7

8 MS. DAYANANDA: Your Honor, the interpreter for the
9 witness has just come through security downstairs. So, it
10 will be a few minutes.

11 THE COURT: We'll, we're not going to do anything now.
12 I just want to get an idea what's going on.

13 We have a matter with another case where the
14 defendant should have been here at 9:00 o'clock.

15 MS. ALOMAR: Your Honor, if they were coming from
16 Long Island, there was a big overturned truck and there
17 were -- all four lanes were blocked. So, I know that my
18 client left at 6:00 in the morning from Long Island he just
19 got here a few minutes ago.

20 THE COURT: I was here at 6:00 in the morning.

21 MS. ALOMAR: Okay.

22 THE COURT: So, if I could get here at 6:00 in the
23 morning, somebody could be here at 9:00 in the morning.

24 And even though he left at 6:00 in the morning, he's
25 still on time.

Proceedings

262

1 MS. ALOMAR: That's true.

2 THE COURT: Where is that water, Ana?

3 THE COURTROOM DEPUTY: Sorry, Judge.

4 (Pause in the proceedings.)

5

6 (Recess taken at: 9:30 a.m.)

7

8 (Continued on following page.)

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Proceedings

263

1 (In open court.)

2 (The following occurs outside the presence of the
3 jury.)

4 (Judge STERLING JOHNSON, JR. is in the courtroom at
5 9:47 a.m.)

6 THE COURT: Call the case, Ana.

7 THE COURTROOM DEPUTY: Case on trial.

8 THE COURT: Are you ready?

9 ALL: Yes, Your Honor.

10 THE COURT: Is the jury here?

11 You can sit down, I don't know if the jury's here.

12 They're not here?

13 THE COURTROOM DEPUTY: One is missing.

14 THE COURT: We're missing one.

15 (Recess taken at 9:50 a.m.)

16

17 (In open court.)

18 (Judge STERLING JOHNSON, JR. enters the courtroom at
19 10:05 a.m.)

20 THE COURTROOM DEPUTY: All rise.

21 THE COURT: Bring the jury in.

22 (Pause in the proceedings.)

23

24 (Witness enters and resumes stand.)

25

Gulistan - Cross / Whalen

264

1 (In open court.)

2 (Jury enters the courtroom at 10:07 a.m.)

3 THE COURTROOM DEPUTY: All rise.

4 THE COURT: Be seated.

5 You're still under oath.

6 Cross?

7 MS. WHALEN: Yes, Your Honor.

8 **M R. G U L I S T A N,**

9 called as a witness, having been previously duly
10 sworn, was examined and testified as follows:

11

12 (Through Interpreter Hafeez Amad:)

13 CROSS-EXAMINATION

14 BY MS. WHALEN:

15 Q Good morning, Mr. Gulistan.

16 A Good morning.

17 MS. WHALEN: Is the microphone on?

18 THE COURT: Is that microphone on? The green light
19 there?

20 THE URDU INTERPRETER: Yes, it is.

21 MS. WHALEN: Is this one on (indicating)?

22 THE COURTROOM CLERK: Now it is.

23 Q Mr. Gulistan, your native language is Pashto; correct?

24 A Yes.

25 Q And you're using an Urdu interpreter today; is that

1 correct?

2 A Yes.

3 Q And when you speak to the prosecutor and the agents, you
4 use an Urdu interpreter; correct?

5 A Yes.

6 Q Okay. The tape recording that we listened to yesterday,
7 is that in Urdu or in Hindi?

8 A Hindi, Urdu, is same.

9 Q Okay. So, it's your opinion it's the same language?

10 A But I speak Urdu.

11 Q You speak Urdu instead of Hindi?

12 A Both languages are same, but I speak Urdu.

13 Q Now, you're testifying here today with an agreement from
14 the Government; is that correct?

15 A Yes.

16 Q And they agreed not to prosecute you for visa fraud; is
17 that correct?

18 A Yes.

19 Q And they agreed to let you stay in the country while
20 you're cooperating; is that correct?

21 A Yes.

22 Q And they gave you employment authorization; isn't that
23 correct?

24 A Yes.

25 Q Now, you can't read or write.

Gulistan - Cross / Whalen

266

1 So, you didn't fill out the papers for employment
2 authorization; is that correct?

3 A No.

4 Q Okay. You didn't fill out the papers.

5 A No.

6 Q Okay. And but you have to pay a fee for employment
7 authorization; isn't that correct?

8 A Yes.

9 Q Did you pay this fee or did the Government pay that fee?

10 A I paid it.

11 Q Now, you testified that you had no promises from the
12 Government that you would be allowed to stay in the
13 United States after this case is finished.

14 A No one made this promise to me.

15 Q Okay. Do you think you'll be allowed to stay?

16 A I don't know.

17 Q Did anyone tell you it was possible you could stay?

18 MS. DAYANANDA: Objection, Your Honor.

19 A No one told me.

20 Q Now, you said you first came to the United States to
21 visit your uncle; isn't that correct?

22 A Yes.

23 Q And that was back in 1981; is that correct?

24 A Before '81.

25 Q Okay. Well, on the tape, you were asked yesterday, when

Gulistan - Cross / Whalen

267

1 you mentioned 1981 and you clarified, that was when you came
2 to see your uncle.

3 A This, before '81. I came along with my uncle.

4 Q Okay. So, you came before '81.

5 And you stayed until '81?

6 A I came here before '81, stayed here for a month or two,
7 and then I left.

8 Q Are you sure it was a month or two?

9 A Yes. I was, at that time, quite young.

10 Q You don't think you told Agent Silverman that you stayed
11 here for almost a year?

12 A No.

13 Q Now, you testified that you came to the United States
14 with an uncle; is that correct?

15 A Yes.

16 Q Okay. And when you came, you needed a visa to come to
17 the United States in 1981; isn't that correct?

18 A I don't know because I was young and I came here along
19 with my uncle.

20 Q Okay. You didn't -- well. You can't read or write.

21 So, you didn't apply for the visa; isn't that
22 correct?

23 A I know nothing, I came -- I know nothing. I was quite
24 young and at that time I came with my uncle.

25 Q Okay. But you don't know what they said on the visa for

Gulistan - Cross / Whalen

268

1 you to be able to come in 1981.

2 A No, I know nothing about that.

3 Q Okay. Did you have to attend an interview with the
4 American consulate before you could come in 1981?

5 A I was quite young, I have no recollection for that.

6 Q Well, you were born in 1963; isn't that correct?

7 A Yes.

8 Q Okay. So, in 1981, you would have been 17?

9 A I came before that. I couldn't understand anything at
10 that time. I was quite young when I came.

11 Q Now, you testified that you came back to the
12 United States in September of 2000; is that correct?

13 A Yes.

14 Q And it's also your testimony that you were never back in
15 the United States between 1982 and 2000.

16 A At that time I was in Pakistan.

17 Q Okay. Well, you also testified, I think, that you lived
18 in Russia and China as well; correct?

19 A Yes.

20 Q And you also lived in Uzbekistan; is that correct?

21 A Yes.

22 Q Okay. And you needed visas to live in Russia, China, and
23 Uzbekistan; is that correct?

24 A Yes, visa.

25 Q Okay. What work did you do in Russia, China, and

1 Uzbekistan?

2 A Garments business.

3 Q Okay. Did you have permission to work in those
4 countries? Like your employment authorization to work in the
5 United States?

6 A Yes, business.

7 Q Okay. Now, you testified -- you went to Uzbekistan with
8 a visa; isn't that correct?

9 A Yeah, visa.

10 Q You have to submit papers for that visa?

11 A Yes.

12 Q Okay. And you testified that you don't read and write in
13 any language.

14 Did you hire someone to prepare the papers for you?

15 A The agent would do that on my behalf.

16 Q Okay. And an agent is a person you hired to prepare the
17 papers for the visa; isn't that correct?

18 A Yes, I paid money to them and they work for me.

19 Q Okay. Now, did you also have to attend an interview at
20 the consulate in Uzbekistan to get a visa? Or somewhere else?

21 A No.

22 Q No interview? It was all prepared on the papers?

23 A One, you have to go to embassy. Then they will renew the
24 visa automatically after six months.

25 Q Okay. So, let's talk about the first time.

Gulistan - Cross / Whalen

270

1 The first time you got the visa, you had to go to
2 the embassy?

3 A Yes.

4 Q Okay. And what did the -- did the agent prepare you for
5 the interview?

6 A From Uzbekistan I got in immigration. And on that
7 immigration, I went there on visa.

8 Q Okay. So, you got immigration status in Uzbekistan?

9 A Yes.

10 Q Okay. And did you fill out those papers or did the agent
11 fill out those papers?

12 A Agents filled it out.

13 Q Okay. And did you have to attend an interview for those
14 papers?

15 A Just once.

16 Q Okay. And did the agent prepare you for that interview?

17 A Yes.

18 Q What did the agent tell to you say?

19 A He said nothing. He told me go and get the visa.

20 Q Okay. And everything you said at that interview was
21 true?

22 A Yes, it was true.

23 Q Okay. Now, in 2000, you applied for a visa to the
24 United States; isn't that correct?

25 A Yes.

Gulistan - Cross / Whalen

271

1 Q And you applied for that visa in Uzbekistan; isn't that
2 correct?

3 A Yes.

4 Q Did you use an agent again to apply for that visa?

5 A No.

6 Q Then, how did you prepare the papers?

7 A The people who knew me, they helped me do that.

8 Q Your friends helped you prepare the papers?

9 A Yes, friends.

10 Q Okay. Why did you say you were coming to the
11 United States?

12 A Business.

13 Q What kind of business?

14 A I would look for that, what business.

15 Q You told them you were coming to the United States to
16 look for work?

17 A No, I didn't say that.

18 Q What did you say?

19 A Business. For business.

20 Q Okay. But didn't they ask you what kind of business?

21 A In business there are a lot of things. Like, tourist in
22 Uzbekistan. And garments, also.

23 Q Okay. But you say you can't read and you say you can't
24 write; isn't that correct?

25 A No.

Gulistan - Cross / Whalen

272

1 Q And you don't speak English.

2 A No. I, I speak Russian.

3 Q And you were applying to come to the United States?

4 A Yes.

5 Q What did you tell the people at the U.S. consulate you
6 were coming to the United States to do?

7 A For business.

8 Q And didn't they ask you, specifically, what business you
9 were going to conduct?

10 A They didn't -- they didn't ask me because in business lot
11 of things come. And I had my own business, garment business,
12 in Uzbekistan.

13 Q Well, did they ask you if you were coming to sell
14 fabrics?

15 A I didn't say anything like that. I said I do business.
16 Whatever I got the business, I do the business.

17 Q And they didn't ask you anything else?

18 A No.

19 Q Now, you say that that visa permitted you to stay in the
20 United States for three months; isn't that correct?

21 A Yes.

22 Q And you came to the United States and you stayed for
23 three months.

24 And you testified yesterday that you then filed for
25 an extension; isn't that correct?

Gulistan - Cross / Whalen

273

1 A Yes, I did.

2 Q Who filled out the paperwork for the extension?

3 A They provide, they didn't question. He filled up form
4 for me and he told me that the visa has been extended for
5 another six months.

6 Q Okay. What did you say you wanted the extension for?

7 A I told him I have three months and get extension for
8 another three months.

9 Q But don't you have to say why you want the extension?

10 A Because I didn't have those, under that time to make
11 money. So, that will be because -- that will extend my stay
12 over here.

13 Q I'm sorry, I didn't understand.

14 Why did you tell them you wanted to extend your
15 visit?

16 A I, I, I, I told him nothing. I told him that my visa
17 going to be expired, so get extension for another three
18 months.

19 Q Didn't he say you have to explain what you need the
20 extension for?

21 A No, he didn't ask anything.

22 Q You don't know what he wrote in that form?

23 A No.

24 Q Now, what business did you do the first three months you
25 were here?

Gulistan - Cross / Whalen

274

1 A I didn't, I didn't, I did nothing. I'm just looking for
2 and I didn't know English.

3 Q Okay. So, you didn't do any work the first three months
4 you were here?

5 A No, nothing.

6 Q What about the second three months?

7 A Sometime I would do some work just to meet my expenses.

8 Q But it wasn't related to the business, the fabric
9 business, that you said you were coming to do; was it.

10 A Because during that time I didn't know different ways how
11 to go. I didn't know at that time.

12 Q Okay. And then, after the visa expired, you continued to
13 stay in the United States; isn't that right?

14 A Yes.

15 Q And you knew it was illegal to stay; didn't you?

16 A Yes.

17 Q Okay. When did you start working?

18 A I didn't have papers with me. I would do different jobs.
19 Sometimes a gas station. And sometimes I do different, other
20 jobs.

21 Q But it's your testimony you had a business back in
22 Uzbekistan; isn't that correct?

23 A Yes.

24 Q And in fact, I think you testified you had a store in
25 Pakistan; isn't that correct?

Gulistan - Cross / Whalen

275

1 A Yes, store.

2 Q And you worked in Uzbekistan, Russia, and China; isn't
3 that correct?

4 A I would bring goods from China and would sell it in
5 Mangora and Swat.

6 Q Okay. But when you came to the United States, you didn't
7 have any regular work; isn't that correct?

8 A No, no work at that time.

9 Q Okay. And that's because you knew you needed employment
10 papers to work in the United States --

11 MS. WHALEN: Withdrawn.

12 Q You couldn't find work because you didn't have employment
13 papers in the United States; isn't that correct?

14 A I didn't have the papers.

15 Q All right. From the year 2000, to 2005, when you met
16 Mr. Archer, how many attorneys did you visit to try to get
17 employment authorization?

18 A I didn't see any, really.

19 Q You didn't see any attorneys?

20 A No.

21 Q How many people did you talk to about getting employment
22 authorization?

23 A I was, I was told that they will be some law coming in
24 future and I was looking for the -- for, for future for this.

25 Q Okay. So, you asked a number of your friends if they

Gulistan - Cross / Whalen

276

1 knew how you could get employment authorization; isn't that
2 correct?

3 A Everyone told me wait. When the law would come, you will
4 get the papers.

5 Q Okay. And the law that you're referring to, was that the
6 CSS (LULAC) 1981 cases?

7 A No. I was told that Bush will give the paper to
8 everyone.

9 Q Okay. So, you were waiting because you thought
10 President Bush would legalize everyone; is that correct?

11 A Yes, everyone was ready for that.

12 Q When did you first hear that President Bush was going to
13 legalize everyone?

14 A Everyone who tell me that. And it will be -- there is
15 shows on television now.

16 Q They showed it on television as well?

17 A Yes. They would speak on the TV also.

18 Q Was this before or after you knew about the CSS (LULAC)
19 1981 cases?

20 A Before. Before.

21 Q Okay. So, first you heard there was going to be one
22 program from President Bush.

23 And then, you heard about the CSS (LULAC)
24 1981 cases?

25 A Yes.

Gulistan - Cross / Whalen

277

1 Q Okay.

2 (Pause in the proceedings.)

3

4 MS. WHALEN: Okay. Now, Mr. Gulistan, I'm showing
5 what what's been marked as Government's Exhibit Number 9.

6 Q Can you see it?

7 THE URDU INTERPRETER: Counselor, we don't see
8 anything.

9 THE COURT: Touch the screen.

10 Now, is that the document up at the top? Do you see
11 it.

12 (The above-referred to Exhibit was published to the
13 jury.)

14 THE URDU INTERPRETER: It is on the screen now.

15 Q Do you see it now?

16 A I see it.

17 Q Mr. Gulistan, what is this document?

18 A I don't know.

19 MS. WHALEN: And I'm showing you what's been marked
20 Government's Exhibit 4-D.

21 (The above-referred to Exhibit was published to the
22 jury.)

23 Q Mr. Gulistan, what's this document?

24 A I don't know.

25 MS. WHALEN: And I'm showing you what's been marked

1 Government's Exhibit 4 B.

2 (The above-referred to Exhibit was published to the
3 jury.)

4 Q What's this document?

5 A I don't know which.

6 MS. WHALEN: I'm going to show you a portion of
7 what's been marked Government's Exhibit 4 A.

8 (The above-referred to Exhibit was published to the
9 jury.)

10 Q Mr. Gulistan, what's this document?

11 A I don't, I don't know how to read. So, I don't know.

12 Q Okay. So, yesterday, when you were shown a number of
13 documents and you were asked to identify them, the only thing
14 you can identify is your signature; isn't that correct?

15 A Yes. Only signatures.

16 Q Okay. So, when you're identifying a document, you don't
17 know what the whole document is.

18 You're just identifying your signature; isn't that
19 correct?

20 A Only signatures, yes.

21 Q And so, if it doesn't have your signature on it, you
22 can't identify it; isn't that correct?

23 A No.

24 Q All right. The first time you went to Mr. Archer's
25 office, you didn't meet with Rukhsana or Mr. Archer; did you?

Gulistan - Cross / Whalen

279

1 A At that time, there were four, five people working. And
2 at that time, I didn't know who was who.

3 Q Well, you met with a person named Sarvjit Singh; isn't
4 that correct?

5 A I do not know the person by name, but I knew them by
6 faces.

7 Q Are you sure you don't know him by name?

8 A No, I don't know. If I see the person, I can find.

9 Q Do you know Kamljeet Kaur?

10 A What?

11 MS. WHALEN: Actually, let me just spell it for the
12 interpreter, I'm sorry. It's Kamljeet -- K-A-M-L-J-E-E-T,
13 last name Kaur -- K-A-U-R.

14 I'm sure I'm mispronouncing it. If you could just
15 pronounce it correctly.

16 A Not with the name.

17 Q Don't you work with Ms. Kaur at National Wholesale
18 Liquidators?

19 A There were many people working. So, I don't know.

20 Q Isn't Kamljeet Kaur Sarvjit Singh's wife?

21 A There were many people, Pakistani, Indian people working.
22 It is four, five years gone. I don't remember. People would
23 go and go back. So, I don't remember.

24 Q Anyway, the first time you went to the Archer office, you
25 spoke with a man; isn't that correct?

Gulistan - Cross / Whalen

280

1 A There were four, five people working there. So, I don't
2 know I spoke to a man or a woman. First time visit, I don't
3 recall.

4 Q Well, didn't you speak to a man who was Pakistani and
5 spoke Urdu?

6 A There were people who would speak Urdu. And when they
7 would speak Urdu, I would talk with them.

8 Q Okay. And isn't it true that your friends told you that
9 you could get a CSS (LULAC) case at Mr. Archer's office from
10 the Pakistani attorney?

11 A I don't know this much. I was told that '81 case has
12 been opened and go and get the information from there.

13 Q But weren't you given the information before you went?

14 A People were talking about. People were talking about the
15 store and everywhere the people was talking about that.

16 Q Everyone was talking about the program; isn't that right?

17 A Yes.

18 Q Everyone said you had to say you came in 1981 and you
19 stayed until 1987 or 1988; isn't that correct?

20 A No. No one said, no one said like that. I was told, go
21 to attorney and consult him.

22 Q Well, when you went to Mr. Archer's office, you met with
23 a man attorney who spoke Urdu the first time you were there;
24 isn't that correct?

25 A I didn't know any attorney at that time. There were -- I

Gulistan - Cross / Whalen

281

1 notice there were four, five people that were working there.

2 Q And you spoke to one of them who was a man; isn't that
3 right?

4 A I spoke many people. I spoke to men as well as women.

5 Q Well, the first time, when you spoke to this man, he took
6 you into a separate office; isn't that correct?

7 A I don't know that.

8 Q You don't remember it?

9 A No, I don't recall.

10 Q Could it have happened? Could you have met with this man
11 in a separate room?

12 MS. DAYANANDA: Objection, Your Honor.

13 THE COURT: What was that?

14 MS. DAYANANDA: Objection.

15 A Maybe. May not. I don't recall.

16 THE COURT: Well, just a second.

17 What's the objection?

18 MS. DAYANANDA: She's asking him to speculate on
19 what could have happened. It's based upon his recollection.

20 THE COURT: He's already answered it anyway.

21 Q So, you don't remember the first time you went to
22 Mr. Archer's office.

23 A I didn't know who was attorney at that time.

24 Q Okay. But you met with someone; isn't that correct?

25 A There would be many people coming and going. Customers

Gulistan - Cross / Whalen

282

1 would sit over there. There were other people sitting over
2 there. So, I don't know this much.

3 Q You spoke to someone and you gave them your information;
4 isn't that correct?

5 A Yes, I gave them the information and I told him that I
6 want to do this case.

7 Q And that person took notes; isn't that correct?

8 A He, he did nothing -- he did nothing. He spoke about
9 passport and pictures. And there were many customers were
10 going and coming in.

11 Q Okay. The second time you came, you spoke with a man;
12 isn't that correct?

13 A There were four, five people working over there. I
14 didn't pay so much attention.

15 Q Well, at that time you gave the person information; isn't
16 that correct?

17 A Yes.

18 Q And the person took notes; isn't that correct?

19 A I don't, I don't know that.

20 Q You saw the person take notes; isn't that correct?

21 A I don't know. That, I don't know.

22 Q So, the third time you came back to the office, you met
23 with a man; isn't that correct?

24 A I would see different -- I would see these people over
25 there. They would take my passport, and talk with me, and

Gulistan - Cross / Whalen

283

1 tell me, your case will be done or not.

2 Q Okay. Well, every time you went -- Mr. Archer's office
3 was in two locations; isn't that correct?

4 A I don't know. I went there on Jackson Heights office.
5 And then, it was shifted to Hillside.

6 Q Right. That's what I meant.

7 First it was in Jackson Heights and then it went to
8 Hillside; isn't that correct?

9 A Hillside, yes.

10 Q At Jackson Heights, Rukhsana was just the secretary;
11 isn't that correct?

12 A That, I didn't know who was attorney; if she was attorney
13 or he was attorney. They were working there.

14 Q When you went to the Jackson Heights office, you only met
15 with men; isn't that correct?

16 A Men, men -- men, women and ladies. And I don't know who
17 I met over there. Long time passed.

18 Q Okay. When the office moved to Hillside, that was when
19 Rukhsana became the interpreter; isn't that correct?

20 A I think interpretation was done there. Paper was
21 submitted there. And then, the office was shifted to
22 Hillside.

23 Q I agree with you.

24 The papers were sent from the Jackson Heights
25 office; isn't that correct?

1 A Yes. There.

2 Q Okay. But Rukhsana didn't become the interpreter until
3 the office moved to Hillside; isn't that correct?

4 MS. DAYANANDA: Objection.

5 THE COURT: I'll allow it.

6 A In Jackson -- yes, in Jackson, I don't know. I signed
7 the papers there.

8 Q Okay. Are you saying you don't remember who was the
9 interpreter at Jackson Heights Jackson Heights?

10 A Rukhsana and other people filled out my paper that was
11 sitting in front of me. And I only signed.

12 Q But Rukhsana didn't ask you the questions for the paper.
13 She was just the secretary; isn't that correct?

14 A She asked me the questions. How many kids you have. She
15 asked me my father's name and my mother's name.

16 Q Okay. Did she ask you other questions?

17 A I don't know, I don't think so that she asked other
18 questions.

19 Q Do you remember if she asked you other questions or do
20 you not remember?

21 A No, I don't recall.

22 (Pause in the proceedings.)

23

24 Q You said yesterday that -- you said yesterday that you
25 had two affidavits for your application; isn't that correct?

Gulistan - Cross / Whalen

285

1 A Yes. Two American citizens, they provided guarantee for
2 me.

3 Q Okay. So Mozafaa Zahabia is an American citizen?

4 A Yes, I brought from two people.

5 Q And Zoranie Tillack is a U.S. citizen?

6 A Yes.

7 Q How long had you known them before you asked them to
8 sign?

9 A I didn't, I did not know them so much. I was -- I knew
10 them for four or five years.

11 Q So, you knew them since you had come to the United States
12 in 2000; is that correct?

13 A Yes.

14 Q And where did you meet them?

15 A He has a garment shop over there. I would work with him.
16 And Zoranie would also work over there.

17 Q Okay. So, you, met them through work?

18 A Through work and just -- to work and just on the days
19 off.

20 Q Okay. Did you socialize? Did you have dinner together?
21 Did you meet their families?

22 A No, not like that.

23 Q So, just work?

24 A Only work and hello, hi.

25 Q Okay. Now, do they speak and -- or do they read and